

SECTION 9 SPECIAL AND ADDITIONAL SUPPLEMENTARY REQUIREMENTS

9.01 LOT AREA:

- A. The minimum lot area for the various Districts shall be in accordance with the individual districts except that a lot having less area than herein required which was an official "lot of record" prior to the adoption of this Ordinance, may be used for a single-family dwelling and no lot existing at the time of passage of this Ordinance shall be reduced in area below the minimum requirements set forth in the respective District.
- B. Public and semi-public institutions such as hospitals, churches, and schools located in any District shall have a minimum site area of one (1) acre unless approved by a Specific Use Permit.
- C. Location of Dwellings and Buildings - Only one main building for single-family and two-family use, with permitted accessory buildings, may be located upon a lot or unplatted tract. Every means of access shall have a minimum lot width of twenty-five feet (25') at the property line. Whenever two or more main buildings, or portions thereof, are placed upon a single lot or tract and such buildings do not face upon a public street, the same may be permitted when the site plan for such development is approved by the Planning and Zoning Commission so as to comply with the City Subdivision Regulations' requirements for platting. No parking area, storage area, or required open space for one building shall be computed as being the open space, yard, or area requirements for any other dwelling or other use.

9.02 MINIMUM DWELLING UNIT AREA

The minimum dwelling unit area of a residential unit shall be as specified in each residential district in Article III, Section 1 of this Ordinance. Dwelling unit area is defined as that area devoted to the living area in a residence or dwelling unit and is exclusive of porches, enclosed or open breezeways, storage area or closets, or other non-living space. The minimum dwelling unit area will generally be that space which is air-conditioned.

9.03 FRONT YARD:

- A. On corner lots, the front yard setback shall be observed along the frontage of both intersecting streets, unless shown specifically otherwise on a final plat, according to Article IV, Section 9.01 (A).
- B. Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage (See Article VI, Appendix 1, Illustration #3).
- C. Where a building line has been established by a plat approved by the City of Frisco or by ordinance prior to the adoption of this ordinance, and such line required is a greater or lesser front yard setback than prescribed by this Ordinance for the district in which the building line is located, the required front yard shall comply with the building line so established by such Ordinance or plat provided no such building line shall be set back less than twenty feet (20'). (ZA2002-0021)

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- D. The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace or attached accessory building. Eaves and roof extensions or a porch without posts or columns may project into the required front yard for a distance not to exceed three feet (3'), and subsurface structures, platforms or slabs may not project into the front yard to a height greater than thirty inches (30") above the average grade of the yard (See Article VI, Appendix 1, Illustration #4).
- E. Where lots have double frontage, extending from one street to another, a required front yard shall be provided on both streets unless a building line for accessory buildings has been established along one frontage on the plat or by ordinance, in which event only one required front yard need be observed. (See Article VI, Appendix 1, Illustration #5)
- F. The minimum front yard setback requirements may be reduced by a maximum of five feet (5') in all Single-Family and 2F Districts provided that at least fifty percent (50%) of the structures on a given block are set back an additional five feet (5') from the original setback. The average setback along the block shall equal the original setback requirement. The purpose of this requirement is to encourage a variety of front yard setbacks along a street creating a more pleasing appearance of houses in the subdivision. In no case shall the front yard setback be less than twenty feet (20'). The desired front setbacks for each lot shall be designated on the final plat. (See Article VI, Appendix 1, Illustration #7)
- G. Minimum front yard setbacks for lots with predominate frontage on the curved radius of a dedicated cul-de-sac street shall be twenty feet (20'). (See Article VI, Appendix 1, Illustration #8)
- H. Visual clearance shall be provided in all zoning districts so that no fence, wall, architectural screen, earth mounding or landscaping two feet, six inches (2'6") or higher above the street center line obstructs the vision of a motor vehicle driver approaching any street, alley, or driveway intersection.
 - 1. At a street intersection, clear vision must be maintained for a minimum of twenty-five feet (25') across any lot measured from the corner of the property line in both directions. (See Article VI, Appendix 1, Illustration #9)
 - 2. At an intersection with an alley, this clearance must be maintained for ten feet (10'). (See Article VI, Appendix 1, Illustration #9)
 - 3. Fences, walls, and hedges two feet, six inches (2'6") in height, as measured from the centerline of the street, or less may be located in the visual clearance areas of all districts.
- I. Gasoline, or other hydrocarbon fuel, service station pump islands may not be located nearer than eighteen feet (18') to the property line adjacent to a public street. An unenclosed canopy for a gasoline filling station may extend beyond the front building line but shall never be closer than ten feet (10') to the property line.
- J. Where a future right-of-way line has been established for future widening or opening of a street or thoroughfare, upon which a lot abuts, then the front or side yard shall be measured from the future right-of-way line.

- K. Satellite dishes and wireless broadband antennas (ZA2001-0005):
1. In the A, RE, SF-1, SF-2, SF-3, SF-4, SF-5, PH, OTR, 2F, and MH districts, satellite dishes and wireless broadband antennas are permitted only on the back half of a residential structure or in the back yard of a residential lot unless a signal cannot be received in these areas. Should a satellite dish or wireless broadband antenna be placed somewhere other than on the back half of a residential structure or in the back yard of a residential lot, it shall be limited to not more than two (2) feet in diameter. Only three (3) satellite dishes and/or wireless broadband antennas shall be permitted per lot or primary structure. One (1) of the three (3) satellite dishes and/or wireless broadband antennas on a residential structure and/or lot may be up to twelve (12) feet in diameter. The other two (2) satellite dishes and/or wireless broadband antennas shall not exceed two (2) feet in diameter.
 2. In the TH, MF-1, and MF-2 districts, satellite dishes and wireless broadband antennas are permitted only on the back half of a residential structure or in the back yard of a residential lot unless a signal cannot be received in these areas. Should a satellite dish or wireless broadband antenna be placed somewhere other than on the back half of a residential structure or in the back yard of a residential lot, it shall be limited to not more than two (2) feet in diameter. Only three (3) satellite dishes and/or wireless broadband antennas shall be permitted per residential unit. One (1) of the three (3) satellite dishes and/or wireless broadband antennas on a residential unit may be up to twelve (12) feet in diameter. The other two (2) satellite dishes and/or wireless broadband antennas shall not exceed two (2) feet in diameter.
- L. The minimum front yard in single-family and two-family zoning districts may be reduced by ten (10) feet in the following circumstances. In no case shall the reduction cause the minimum front yard to be less than fifteen (15) feet (ZA2000-0067).
1. For a swing-in garage provided the wall of the garage that faces the street contains a glass pane window with a minimum size of three (3) feet by five (5) feet and the height of the garage does not exceed one (1) story; or
 2. For a non-enclosed porch, stoop, or balcony, or an architectural feature, such as bay window without floor area or chimney; or
 3. For a non-enclosed porch and the main structure provided:
 - a. the height of the main structure does not exceed one (1) story;
 - b. the porch has a minimum dimension of seven (7) feet in depth measured from stud to the front edge of the porch floor and a minimum width of ten (10) feet for Single-Family-4 lots and smaller and twenty (20) feet for lots larger than Single-Family-4; and
 - c. the minimum front yard for a front entry garage is increased one (1) foot for every one (1) foot the minimum front yard for the main structure is reduced.
- M. The minimum front yard in single-family and two-family zoning districts may be reduced by five (5) feet for front entry homes on Type F (60' R-O-W) thoroughfares (ZA2000-0067).

9.04 SIDE YARDS:

- A. On a corner lot used for one or two-family dwellings, both street exposures shall be treated as front yards on all lots except where one street exposure is designated as a side yard and separated from the adjacent lot by an alley. In such case, a building line shall be designated on the plat approved by the City of Frisco containing a side yard of fifteen feet (15') or more. On lots that were official lots of record prior to the effective date of this Ordinance, the minimum side yard adjacent to a side street shall comply with the minimum required side yard for the respective district. (See Article VI, Appendix 1, Illustrations #13 and #14) (ZA2002-0021)
- B. Every part of a required side yard shall be open and unobstructed from the ground upward except for accessory buildings as permitted herein and the ordinary projections of window sills, belt courses, cornices, and other architectural features not to exceed twelve inches (12") into the required side yard, and roof eaves projecting not to exceed thirty-six inches (36") into the required side yard. Air conditioning compressors and similar appurtenances are permitted in the side yard.
- C. Side yard setbacks in the C-1, NS and R Districts may be waived for a building when attached to an adjacent building and is shown on an approved site plan.
- D. The face (meaning garage door) of a garage that faces a side yard (a swing-in garage) must be setback twenty-eight feet (28') from the side property line.

9.05 SPECIAL HEIGHT REGULATIONS

- A. Water stand pipes and tanks, church steeples, domes, and spires, school buildings, and institutional buildings may be erected to exceed three (3) stories in height, provided that one (1) additional foot shall be added to the width and depth of front, side, and rear yards for each foot that such structures exceed three (3) stories.

Ornamental features in all non-residential zoning districts may exceed the maximum building height provided that the ornamental feature does not contain floor area and provided the required setbacks for the ornamental feature are increased by two (2) feet for every one (1) foot that the ornamental feature exceeds the maximum height. Ornamental features shall be defined as towers, spires, steeples, and cupolas.
- B. Amateur radio antennas and other transmitting and receiving devices of microwave or electromagnetic waves for broadcasting use, shall not interfere with radio or television reception of adjoining property owners, and shall comply with all regulations of the Federal Communications Commission (FCC). In no case shall the height of such antennas exceed forty-five feet (45') and proper guy wire securement shall be followed. In no manner shall the use of such equipment infringe upon adjoining property owners. Roof mounted satellite dishes in excess of fifty (50) pounds shall be approved by a registered architect or professional engineer by written letter to the building official, prior to installation, stating the antenna's stability and support and shall not extend more than six feet (6') above the first story.

9.06 MISCELLANEOUS REQUIREMENTS:

- A. All measurements of setback requirements shall be made according to Article VI, Appendix 1, Illustrations #10, #11, and #12.

9.07 RADIO, TELEVISION AND MICROWAVE TOWERS (ZA2002-0026):

No radio, television or microwave tower for a commercial use shall be located within a distance equal to or less than the height of such tower from any residential structure or from any area zoned residential, or shown as residential on the current Comprehensive Plan. Such distance shall be measured in a straight line from the closest point of the tower to the closest point of such area or residential structure.

9.08 A MODULAR HOME MAY BE PERMITTED IN ANY A, RE, SF, 2F, PH, MH, OR MF ZONING DISTRICT PROVIDING THAT THE FOLLOWING REQUIREMENTS ARE MET:

- A. The dwelling meets or exceeds all building code requirements that apply to other dwelling units concerning on-site construction.
- B. Conforms to all applicable zoning standards for the respective zoning district.
- C. Is affixed to an approved permanent foundation system.
- D. The building official is so notified in writing for the purpose of establishing procedures for the inspection, issuing of building permits, and compliance with the Texas Manufactured Housing Standards Act (Article 1221f V.T.C.S.).
- E. The modular home is placed on an approved platted lot of the City of Frisco.

9.09 EXTERIOR CONSTRUCTION OF MAIN BUILDINGS

- A. The exterior facades of a main building or structure in the RE, SF-1, SF-2, SF-3, SF-4, SF-5, PH, 2F, and TH Districts shall be constructed of one hundred percent (100%) masonry, unless otherwise specified in Comprehensive Zoning Ordinance No. 00-11-01. Cementitious fiber board may constitute fifty percent (50%) of stories other than the first story. Cementitious fiber board may also be used for architectural features, including window box-outs, bay windows, roof dormers, garage door headers of rear entry garages, columns, chimneys not part of an exterior wall, or other architectural features approved by the Building Official. In the A District, a main building or structure may be constructed of wood or an equivalent material.
- B. All exterior facades for a main building or structure in the 0-1, 0-2, NS, R, H, C-1 and C-2, IT, CO, and I Districts shall be constructed of one hundred percent (100%) masonry as defined herein in Article II, Section 4.01. Metal buildings are permitted in the I District upon review by the Planning & Zoning Commission and approval by the City Council subject to:
- The maximum height of metal buildings is 36 feet;
 - The lot on which the building is constructed must have frontage only on streets of 80 feet in right-of-way or greater;
 - The lot containing a metal building shall be 500 feet from all major thoroughfares and zoning districts other than Commercial-1, Commercial-2, and Industrial Districts;

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- The wall of the building facing the street must be 100% masonry; and
- Other walls of the building visible from a street must have trees planted on 30-foot centers within 20 feet of the building.

- C. Exterior construction of maintenance buildings for golf courses, public or parochial schools, churches, or the City of Frisco may be metal upon issuance of a Specific Use Permit. Exterior construction of buildings used for agricultural purposes in conjunction with a school may be metal upon issuance of a Specific Use Permit.

If an expansion or an addition to an existing metal building is not greater than 10% or 7,000 square feet, whichever is greater, the masonry requirements shall not apply to the expansion or addition to the existing metal building.

- D. All main and/or accessory building construction must have an approved façade plan before issuance of a building permit. Any change in facade for main buildings or structures in the OTC district shall be clay-fired brick construction. Original building materials are allowed on buildings (existing prior to September 3, 2002) for expansions only. New construction must adhere to the "Original Downtown Architectural Design Standards". All new façade plans must be approved or denied by the Director of Planning or his/her designee. The applicant shall submit the appeal request in writing, within 14 days of the decision, to the Planning Department. The written request shall include specific reasons for the appeal. Appeals will be heard by City Council. The applicant or City Council may initiate appeals. Appeals will require notification of property owners within 200 feet. Notification will be mailed 11 days prior to the hearing.
- E. All main structures within the MF-1 and MF-2 districts must have a minimum of eighty percent (80%) masonry on the first and second floors and fifty percent (50%) on all other floors.
- F. The City Council may approve materials which are equivalent to, or exceed, the standards set forth in Article IV, Section 9.09(A) and Article IV, Section 9.09(B). The City Council may also approve after a recommendation from the Planning and Zoning Commission, exceptions to the standards set forth in Article IV, Section 9.09(D) if the proposed material is determined by the City Council to be compatible with the historical architectural character of the OTC District.
- G. All main and/or accessory building construction must have an approved façade plan before issuance of a building permit. Any change to a facade for main and accessory buildings in the OTR district shall be of the pre-existing material (existing prior to September 3, 2002), which may include wood, non-combustible fiber cement siding construction, or clay-fired brick as long as it meets the requirements of the district and the Building Official. Any change to the façade of a main and/or accessory building must be in the same architectural style as the main structure. All newly constructed dwellings must adhere to the "Original Downtown Architectural Design Standards". All new façade plans must be approved or denied by the Director of Planning or his/her designee. The applicant shall submit the appeal request in writing, within 14 days of the decision, to the Planning Department. The written request shall include specific reasons for the appeal. Appeals will be heard by City Council. The applicant or City Council may initiate appeals. Appeals will require notification of property owners within 200 feet. Notification will be mailed 11 days prior to the hearing.

9.10 HANDICAP ACCESSIBILITY

All nonresidential buildings and parking areas shall conform to the Americans with Disabilities Act (ADA) of 1991, as may be amended, accessibility guidelines or the Uniform Federal Accessibility Standards.

9.11 SELF-STORAGE AND MINI-WAREHOUSE FACILITIES (ZA2002-0021)

The side building lines of a self-storage or mini-warehouse facility may be reduced by approval of the Planning & Zoning Commission at the time of the preliminary site plan approval. The configuration of the storage units shall be with the doors facing into the site with the rear walls of the units serving as the outer boundary.

Self-storage or mini-warehouse facilities must comply with Article IV, Section 9.09, and its amendments, relating to the construction material used for exterior buildings. Notwithstanding any other provisions to the contrary, a self-storage or mini-warehouse facility constructed adjacent to a residential area, whether separated by a dedicated street or not, shall exclusively use clay fired brick as the exterior construction material.

9.12 ADJACENCY OF CERTAIN USES TO RESIDENTIAL ZONING (Z2000-0068)

- A. All buildings, gasoline pump islands, vacuums, outdoor speakers, gasoline or fuel storage tanks, air and water dispensers, and other structures in conjunction with any automotive use shall be located a minimum of two hundred (200) feet from any residential zoning district. No service bay shall face a residential zoning district. An automotive use shall be defined as the sales, leasing, renting, servicing, repair, or washing of automobiles, boats, motorcycles, trucks, or any other motor vehicle.
- B. All buildings, structures, and outdoor speakers used in conjunction with any drive-thru or drive-in restaurant shall be located a minimum of two hundred (200) feet from any residential zoning district. Buildings and outdoor speakers may be located closer than two hundred (200) feet from a residential zoning district provided that the building is located between the speaker box and adjacent residentially zoned property.
- C. Any lot containing a drive-thru restaurant, drive-in restaurant, and/or an automotive use as defined in Article IV, Section 9.12(A) and which is adjacent to a residential zoning district shall comply with the following requirements:
 - 1. One (1) large tree, three inch (3") caliper minimum shall be planted on twenty foot (20') centers within the fifteen foot (15') landscape area, required by Article IV, Section 2.06(E)(1)(b). Of the trees required within the fifteen-foot (15') landscape area, a minimum of fifty percent (50%) of the trees shall be of evergreen variety.
 - 2. The screening wall, required by Article IV, Section 5.02(A), shall be eight feet (8') in height.
- D. The requirements listed in Article IV, Section 9.12(A) and 9.12(B) shall not apply to a drive-thru restaurant, drive-in restaurant, and/or an automotive use within two hundred (200) feet of a residential zoning district that is separated from the residential area by an existing or future major thoroughfare identified on the City's Thoroughfare Plan.

9.13 DAY CARE CENTERS, PRIVATE SCHOOLS, AND SIMILAR FACILITIES

- A. All day care centers shall provide outdoor play space at a rate of sixty-five (65) square feet per child. This requirement shall be based on the maximum licensed capacity of the facility. The outdoor play space shall have no dimension of less than thirty (30) feet. If the facility provides care to all children for less than four hours per day, this requirement may be waived by the City Council.
- B. Outdoor play space is defined as the area used for outside recreational purposes for children. The outdoor play area must be enclosed by a fence of at least four (4) feet in height with at least two exits. One exit may be an entrance to the building.
- C. Article IV, Section 9.13(A) and Article IV, Section 9.13(B) shall not apply to a day care center with a Certificate of Occupancy, site plan, or Specific Use Permit issued or approved prior to February 15, 2000.

9.14 RESIDENTIAL DEVELOPMENT ADJACENT TO RAILWAYS

A. Minimum Building Setback, Screening, and Landscaping Requirements

When a boundary of a residential subdivision is adjacent to a railroad right-of-way, one of the two following options shall be met:

1. Option One

- a. A minimum building setback of fifty (50') feet shall be required from the railroad right-of-way; and
- b. A one hundred (100%) percent clay fired brick or stone wall with a minimum height of six (6') feet shall be constructed on the railroad right-of-way line; and
- c. One three-inch (3") caliper large tree shall be planted a minimum of thirty (30') linear feet on center adjacent to the residential side of the wall (see Article IV, Section 2.07 for recommended trees). A minimum of fifty (50%) percent of the trees shall be of the evergreen variety. The landscaped area shall be mechanically irrigated. The lot owner shall be responsible for the replacement of required plant materials.

2. Option Two

- a. A minimum building setback of one hundred (100') feet shall be provided from the railroad right-of-way. A maximum of twenty-five (25%) percent of the setback area may be utilized as usable open space as required in Article III, Section 1(9.01) - Patio Home District and Article III, Section 1(11.01) - Townhome District of the Zoning Ordinance; and
- b. One three-inch (3") caliper large tree shall be planted a minimum of thirty (30') linear feet on center adjacent to the residential side of the wall (see Article IV, Section 2.07 for recommended trees). A minimum of fifty (50%) percent of the trees shall be of the evergreen variety. The landscaped area shall be mechanically irrigated. The lot owner shall be responsible for the replacement of required plant materials.

The required screening wall and landscaping shall be installed within three (3) months from the date of City acceptance of public improvements.

B. Platting Requirements:

1. The setback area shall be designated on the plat as follows: "This setback area is reserved for screening purposes. The placement of structures on this land or the removal of healthy screening plant materials is prohibited."
2. Should the setback area be part of a single-family lot, the setback area shall also be recorded on the plat as a building line.

C. Exceptions:

Article IV, Section 9.14 shall not apply to any residential development with an approved Concept Plan, Preliminary Plat, and/or Final Plat prior to April 4, 2000.

9.15 **NONRESIDENTIAL AND MULTIFAMILY DEVELOPMENT ADJACENT TO A MAJOR CREEK (ZA03-0002)**

A. Major Creeks within the City of Frisco shall be defined as:

- Cottonwood Creek
- Panther Creek
- Parvin Branch
- Rowlett Creek
- Stewart Creek

Each Major Creek begins at its headwater (as determined by the Federal Emergency Management Agency and/or the U.S. Army Corps of Engineers) as is generally depicted on Flood Insurance Rate Maps (FIRM) as provided by the Federal Emergency Management Agency.

B. All nonresidential and multifamily lots developing adjacent to the 100-year floodplain of a major creek shall comply with the requirements listed below. Multifamily-zoned property that develops as single-family is not subject to these requirements, but shall comply with the Section 7.08 of the Subdivision Regulation Ordinance, as it exists or may be amended.

1. Retaining walls, where provided, shall be constructed of clay-fired brick, stone, patterned concrete, modular concrete block, or split faced concrete masonry units. This requirement does not apply to walls constructed within the channel of the creek to control water flow.
2. Three (3) inch caliper trees planted on thirty (30) foot centers and three (3) gallon shrubs planted on five (5) foot centers shall be provided between parking and the flood plain when parking is located directly adjacent to the flood plain. The trees and shrubs are not required to be planted in a single row; they may be planted in groups. Existing trees in healthy growing condition and of a species from the list of Recommended Plant Materials in Article IV, Section 2 of this ordinance, as it exists or may be amended, may be counted toward this requirement.
3. Maintenance access, as required by the City Engineer, or his/her designee, shall be provided to the flood plain, hike and bike trail, and creek.

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4. The development shall incorporate a connection to the major creek's hike and bike trail by way of a sidewalk, stairs, and/or ramps. The connection shall comply with ADA accessibility requirements. The Director of Parks & Recreation or his/her designee may waive this requirement if he/she determines that a connection is not needed due to the property size, configuration and constraints, or land use.
 5. Open space areas adjacent to the floodplain that have been improved with patios, courtyards, or additional landscaping listed in Section 9.15(C)(1) and Section 9.15(C)(6) below may be used to meet minimum open space requirements.
 6. Loading areas located adjacent to the major creek shall be screened from the flood plain by a solid living screen to reach a minimum of fourteen (14) feet tall within two (2) years. Existing trees in healthy growing condition and of an evergreen species from the list of Recommended Plant Materials in Article IV, Section 2 of this ordinance, as it exists or may be amended, may be counted toward this requirement. For Industrial development, this requirement may be waived by the Planning & Zoning Commission upon site plan approval if the adjacent property on the opposite side of the creek is zoned Industrial or designated on the Future Land Use Plan as Industrial, unless zoned other than Industrial.
- C. Multifamily, except those multifamily properties that are developed as single-family, and office development adjacent to a major creek shall provide four (4) of the amenities listed below. Retail and commercial development adjacent to a major creek shall provide three (3) of the amenities listed below. Industrial development adjacent to a major creek shall provide two (2) of the amenities listed below. Amenity selection is subject to approval by the Planning & Zoning Commission upon preliminary site plan or site plan approval.
1. A thirty (30) foot landscape edge adjacent to the floodplain of the major creek with a double row of three (3) inch caliper trees planted on thirty (30) foot centers. Existing trees in healthy growing condition and of a species from the list of Recommended Plant Materials in Article IV, Section 2 of this ordinance, as it exists or may be amended, may be counted toward this requirement.
 2. A minimum of 25% of the surface area of walls that face the major creek to be provided as windows.
 3. Construction of a hike and bike trail in accordance with the City's Hike and Bike Trail Master Plan. Escrow for the construction of the hike and bike trail may be accepted upon approval by the Director of Parks & Recreation or his/her designee.
 4. A visibility corridor of at least one hundred (100) feet shall be required between and/or adjacent to buildings adjacent to the flood plain. This visibility corridor can include parking, landscape medians or areas, amenities, and drive aisles.
 5. Trail Head Park. A trailhead park shall have minimum dimensions of fifty (50) feet and be located adjacent to the hike and bike trail. Park benches shall be provided. Trailhead parks are subject to review and approval by the Director of Parks & Recreation or his/her designee.
 6. A common patio, balcony, courtyard, or terrace a minimum of 750 square feet located between the building and the major creek.
 7. Building orientation such that the entire side of the building adjacent to the flood plain is not the back of the building.
 8. Building to have the same building materials and architectural elements on all four sides.

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9. Creek restoration (plan shall be designed and implemented according to USACE standards and approved by Army Corps of Engineers).
 10. Other amenities not listed may be approved by the Planning & Zoning Commission in conjunction with a preliminary site plan if they determine that the proposed amenity meets the intent of these requirements.
- D. The Planning & Zoning Commission may grant variances to the requirements of this section (Article IV, Section 9.15), as it exists or may be amended, upon preliminary site plan or site plan approval only if they determine that conforming to these requirements is not possible due to the property size, configuration, topography, constraints, or land use and that no other alternative is available. The decision by the Planning & Zoning Commission may be appealed to the City Council using the site plan appeal process described in Article IV, Section 1, as it exists or may be amended.